

1 SUZANNE L. MARTIN
2 Nevada Bar No. 8833
2 suzanne.martin@ogletreedeakins.com
3 SHELLEY L. MURRAY
3 Nevada Bar No. 12831
4 shelley.murray@ogletreedeakins.com
4 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
5 Wells Fargo Tower
5 Suite 1500
6 3800 Howard Hughes Parkway
6 Las Vegas, NV 89169
7 Telephone: 702.369.6800
7 Fax: 702.369.6888

8 *Attorneys for Defendant McGladrey, LLP*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 MATT YOUNGMAN,

Case No.: 2:15-cv-01252-JCM-GWF

12 Plaintiff,

13 vs.

14 McGLADREY, LLP, a foreign Limited-
15 Liability Partnership, doing business in the
16 State of Nevada

17 Defendant.

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19 **JOINT REQUEST AND ~~PROPOSED~~
20 ORDER FOR DISCOVERY STAY AND
21 REFERRAL TO EARLY NEUTRAL
22 EVALUATION**

23 Plaintiff, Matt Youngman (“Plaintiff”) and Defendant McGladrey, LLP (“Defendant”) by
24 and through their respective attorneys’ of record, hereby jointly request that the Court stay
25 discovery and refer this case for an Early Neutral Evaluation (“ENE”) Session.

26 On May 19, 2015, Plaintiff filed a lawsuit against Defendant in the Eighth Judicial District
27 Court in the State of Nevada alleging breach of employment contract, breach of the covenant of
good faith and fair dealing, unjust enrichment, and quantum meruit. On July 2, 2015, Defendant
removed the lawsuit to the United States District Court, District of Nevada. (Dkt. # 1.)
Defendant also filed a Motion to Dismiss Plaintiff’s complaint pursuant to Rule 12(b)(6), which
could be dispositive. (Dkt. # 4.)

1 On July 14, 2015, the parties participated in the Rule 26(f) conference, during which they
2 agreed that other than completing the briefing on the pending Motion to Dismiss, the case would
3 benefit from a stay of discovery and, upon approval of the Court, the parties' participation in an
4 ENE Session.

5 There is good cause for a stay of discovery, which is in the Court's discretion, and referral
6 to an ENE session, namely, affording the parties' an opportunity to resolve this case early without
7 incurring attorneys' fee and costs in connection with discovery and/or additional law and motion.
8 Furthermore, while Plaintiff does not assert employment discrimination claims which would result
9 in the automatic referral of his case to an ENE Session under LR 16-6, this is an employment case
10 as each and every one of Plaintiff's claims arise out of and relate to his employment and
11 termination with Defendant. In particular, he claims he is entitled to compensation under an
12 employment agreement and severance under Defendant's policies.

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To that end, and in an effort to genuinely explore settlement without incurring unnecessary costs in connection with discovery or additional law and motion, the parties respectfully request that the Court stay discovery and order this case to for an ENE Session without delay.

Dated this 20th day of July, 2015.

Law Offices of Daniel Marks

/s/ Nicole Young

Daniel Marks
Nicole Young
610 South Ninth Street
Las Vegas, Nevada 89101

Attorney for Plaintiff

Dated this 20th day of July, 2015.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

/s/ Shelley L. Murray

Suzanne L. Martin
Shelley L. Murray
3800 Howard Hughes Parkway
Suite 1500
Las Vegas, NV 89169
Telephone: 702.369.6800

Attorneys for Defendant McGladrey, LLP

ORDER

IT IS HEREBY ORDERED THAT:

1. That the case be referred for Early Neutral Evaluation; and
2. That in the meantime, discovery shall be stayed.

Dated this 21 day of July, 2015


UNITED STATES MAGISTRATE JUDGE